

## **REMARKS**

### **The Rejections Under 35 USC § 102 and 103 and Claim Amendments**

The amendments to the claims readily render all rejections moot.

From the definitions of  $R^3$  and  $R^4$  the following groups have been deleted:  $(CH_2)_nCO_2R^5$ ,  $(CH_2)_nOCOR^5$ ,  $CH=CHCOOR^5$ , and  $(CH_2)_nCHR^5COOR^5$ . The deletion of these groups eliminates more than even a possible overlap with the broadest disclosure of Rainer et al. The entry of the amendments is respectfully and courteously requested, and thereby the reconsideration of the rejections as well.

Two additional new dependent claims have been added, which do not raise any new issues. These recite narrower definitions for the groups  $R^3$  and  $R^4$ , which are even further removed from the compounds of Rainer et al. The entry thereof is also respectfully requested.

The remaining amendments concern the correction of obvious subscript issues.

### **Withdrawn Claims**

Applicants respectfully request the rejoinder of the withdrawn method claims in accord with the rejoinder provisions of the MPEP.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

/Csaba Henter/

Csaba Henter, Reg. No. 50,908  
Attorney for Applicants

MILLEN, WHITE, ZELANO & BRANIGAN, P.C.  
Arlington Courthouse Plaza 1  
2200 Clarendon Boulevard, Suite 1400  
Arlington, VA 22201  
Direct Dial: 703-812-5331  
Facsimile: 703-243-6410  
Attorney Docket No.:MERCK-3074

Date: January 18, 2011

K:\Merck\3000 - 3999\3074\Reply Jan 11.doc